

# THE HOLY INQUISITION: MYTH OR REALITY

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**Editor's Note:** Centuries of false propaganda have convinced most people, good Catholics included, that the Inquisition was one of the most evil institutions ever devised. Presented here is a long-overdue defence in which Dr. Marian Horvat, Professor of Medieval History, sets the record straight by completely debunking five of the most common myths about the Holy Inquisition.

## INTRODUCTION

To 20th Century sensibilities, to speak of Holy and Inquisition in the same phrase would seem a contradiction. Never has a subject seen so much ink-slinging — or whitewashing — as the Holy Inquisition. The modern mentality has a natural difficulty in understanding an institution like the Inquisition because the inquisitorial process was not predicated on liberal doctrines such as freedom of thought, which became central in Western culture in the 18th Century. The modern mind has difficulty in grasping religious belief as something objective, outside the realm of free private judgment. Nor does the modern mind see the Catholic Church as a perfect and sovereign society where orthodoxy should be maintained at any cost.

Religious intolerance is not a unique product of the Middle Ages: everywhere and always in the past men believed nothing disturbed commonweal and public peace so much as religious dissensions and conflicts. By the Middle Ages, it had become accepted that the gravest kind of crisis was that which threatened the unity and security of the Latin Church, and not to proceed against the heretics with every means at the disposal of Christian society was not only foolish, but a betrayal of Christ Himself. The modern concept of the secular State, neutral toward all religions, would have shocked the medieval mind.

Modern men experience difficulty in understanding this institution because they have lost sight of three facts. First of all, they have ceased to grasp religious belief as something objective, as a gift of God, and therefore outside the realm of free private judgment. Second, they no longer see in the Church a perfect and sovereign society, based substantially on a

pure and authentic Revelation, whose first and most important duty must naturally be to retain unsullied this original deposit of faith. That orthodoxy should be maintained at any cost seemed self-evident to the medieval mind. Heresy, since it affected the soul, was a crime more dangerous than murder, since the eternal life of the soul was worth much more than the mortal life of the flesh.

Finally, modern man has lost sight of a society in which the Church and the State constitute a closely-knit polity. The spiritual authority was inseparably intertwined with the secular in much the same way as the soul is united with the body. To divide the two into separate, watertight compartments would have been unthinkable. The State could not be indifferent about the spiritual welfare of its subjects without being guilty of treason to its first Sovereign, Our Lord Jesus Christ. Before the religious revolution of the 16th Century, these views were common to all Christians.<sup>[1](#)</sup>

As William Thomas Walsh points out in *Characters of The Inquisition*, the positive suppression of heresy by ecclesiastical and civil authorities in Christian society is as old as monotheism itself. (In the name of religion, Moses put to death far more people than Torquemada ever did).<sup>[2](#)</sup> Yet the Inquisition per se, as a distinct ecclesiastical tribunal, is of much later origin. Historically, it operated as a phase in the growth of ecclesiastical legislation that adapted certain elements of Roman legal procedure. In its own time, it certainly would not have been understood as it is presented today.<sup>[3](#)</sup> For, as Edward Peters points out so well in his landmark study *Inquisition*, "the Inquisition" was an "invention" of the religious disputes and political conflicts of the 16th Century. It was later adapted to the causes of religious toleration and philosophical and political enlightenment in the 17th and 18th Centuries. This process, which was always anti-Catholic and usually anti-Spanish, became universalized. Thus, eventually the Inquisition became representative of all repressive religions that opposed freedom of conscience, political liberty, and philosophical enlightenment.

#### **Myth #1**

**Myth:** The medieval Inquisition was a suppressive, all encompassing, and all-powerful, centralized organ of repression maintained by the Catholic Church.

**Reality:** Except in fiction, the Inquisition as a single all-powerful, horrific tribunal, "whose agents worked everywhere to thwart religious truth, intellectual freedom, and political liberty until it was overthrown sometime in the enlightened 19th Century" simply did not exist. The myth of the Inquisition was actually shaped in the hands of "anti-Hispanic and religious reformers in the 16th Century."<sup>[4](#)</sup> It was an image assembled from a body of legends and myths, which took shape in the context of the intense religious persecution of the 16th Century. Spain, the greatest power in Europe, who had assumed the role of defender of Catholicism, was the object of propaganda that decried "the Inquisition" as the most dangerous and characteristic of Catholic weapons against Protestantism. Later, critics of any type of religious persecution would adopt the term.

In fact, there was not one monolithic Inquisition, but three distinct inquisitions.

The Inquisition of the Middle Ages began in 1184 in southern France in response to Catharist heresy, and dissolved at the end of the 14th Century as Catharism died out. Modern studies show conclusively that there is no clear evidence that people in medieval Europe conceived of the Inquisition as a centralized organ of government. The Popes of the times had no intention of establishing a permanent tribunal.<sup>5</sup> For example, not until 1367 does the title inquisitor hereticae pravitatis even appear when the Dominican Alberic was sent to Lombardy.

Pope Gregory IX did not establish the Inquisition as a distinct and separate tribunal, but appointed permanent judges who executed doctrinal functions in the name of the Pope. Where they sat, there was the Inquisition. One of the most damaging legends that was spun through the centuries is the image of an omniscient, omnipotent tribunal whose fingers reached into every corner of the land. The small number of inquisitors and their limited scope far belie the exaggerated rhetoric. At the end of the 13th Century, there were two inquisitors for the whole of Languedoc (one of the hotbeds of the Albigensian heresy), two for Provence and four to six for the rest of France.<sup>6</sup>

As for the accusation that the Inquisition was an omnipresent body throughout Christendom, the Inquisition did not even exist in northern Europe, Eastern Europe, Scandinavia, or England, Wales, Ireland, and Scotland. The vast majority of cases in the 13th Century were directed against the Albigensian heretics in southern France. It was not even established in Venice until 1289 and the archives of that city show that the death penalty was inflicted by the secular power on only six occasions in totu.<sup>7</sup>

El Santo Oficio de la Santa Inquisition, better known as the Spanish Inquisition, started in 1478 as a State institution appointed to discover heresy, deviations from the true Faith. But Ferdinand and Isabella also instituted it to protect the conversos, or New Christians, who had become victims of popular indignation, prejudices, fears and greed.<sup>8</sup> It is important to note that the Inquisition had authority only over baptized Christians, and that the unbaptized were completely free of its disciplinary measures unless they violated natural law.

Finally, The Holy Office at Rome was begun in 1542, the least active and most benign of the three variations.<sup>9</sup> A recent study by John Tedeschi, *The Prosecution of Heresy*, deals with the Roman Inquisition and the procedures it followed after its reconstitution in the mid-16th Century in its struggle to preserve the faith and to eradicate heresy. The value of Tedeschi's study is that it overturns long-standing assumptions about the corruption, inhumane coercion, and injustice of the Roman Inquisition of the Renaissance, assumptions that Tedeschi admitted he harbored when he began his extensive work in the documents. What he "very gradually" began to find was that the Inquisition was not a "drumhead court, a chamber of horrors, or a judicial labyrinth from which escape was impossible". Tedeschi points out that the inquisitorial process included the provision of a defense attorney. Further, the accused was given right to counsel and even received a notarized copy of the entire trial

(with the names of prosecution witnesses deleted) so that he might make a response. In contrast, in the secular courts of the time, the defense attorney was still playing only a ceremonial role, the felon was denied the right to counsel (until 1836), and evidence against the accused was only read in court, where he had to make the defense on the spot. Tedeschi concluded that the Roman Inquisition did dispense legal justice in terms of the jurisprudence of early modern Europe and even goes so far as to say, "it may not be an exaggeration to claim, in fact, that in several respects the Holy Office was a pioneer in judicial reform".[10](#)

## Myth #2

**Myth:** The Inquisition was born from the bigotry, cruelty and intolerance of the medieval world, dominated by the Catholic Church.

**Reality:** The Inquisition found its beginnings in a calm, measured, and deliberate attempt to set up a juridical instrument of conformity that would eliminate the caprice, anger, and bigotry of the mobs. Further, the medieval inquisitors were combating a social, and not just theological, danger.

At the end of the 12th Century, the Inquisition was established in southern France in response to the Albigensian heresy, which found particular strength in the cities of Lombardy and Languedoc. It is important to point out the social dangers presented to all society by this group, which was not just a prototype of modern Protestant fundamentalism, the popular view of our day. The term Albigensian derives from the town of Albi in southern France, a center of Cathar activity. The Cathars (the name refers to the designation of its adherents as cathaaroï, Greek for the "pure ones") held that two deities, one material and evil, the other immaterial and good, struggled for the souls of man. All material creation was evil and it was man's duty to escape from it and reject those who recognized it as good. The God of the Old Testament, who created the world, which is evil, was repudiated. It was the New Testament, as interpreted by the Cathars,[11](#) that acted as guide for man to free his spiritual soul from evil matter, the body. A 13th Century authority, Rainier Sacconi, summarized the belief of the Cathars thus:

"The general beliefs of all the Cathars are as follows:

The devil made this world and everything in it. Also, that all the sacraments of the Church, namely baptism of actual water and the other sacraments, are of no avail for salvation and that they are not the true sacraments of Christ and His church but are deceptive and diabolical and belong to the Church of the wicked. . . . Also a common belief to all Cathars is that carnal matrimony has always been a mortal sin and that in the future life one incurs no heavier a penalty for adultery or incest than for legitimate marriage, nor indeed among them should anyone be more severely punished on this account. Also, Cathars deny the future resurrection of the body. Also, they believe that to eat meat, eggs, or cheese, even in pressing need, is a mortal sin; this for the reason that they are begotten by coition. Also that taking an

oath is in no case permissible, this consequently, is a mortal sin. Also that secular authorities commit mortal sin in punishing malefactors of heretics. Also that no one can attain salvation except in their sect."[12](#)

The Cathars thus held that the Mass was idolatry, the Eucharist was a fraud, marriage evil, and the Redemption ridiculous. Before death, adherents received the consolamentum, the only sacrament permitted and this permitted the soul to be free from matter and return to God. For this reason, suicide by strangulation or starvation was not only permitted, but could even be laudable.

To preach that marriage was evil, that all oaths were forbidden, that religious suicide was good, that man had no free will and therefore could not be held responsible for his actions, that civil authority had no right to punish criminals or defend the country by arms, struck at the very root of medieval society. For example, the simple refusal to take oaths would have undermined the whole fabric of feudal legal structures, in which the spoken word carried equal or greater weight than the written. Even Charles Henry Lea, a Protestant amateur historian of the Inquisition who so strongly opposed the Catholic Church, had to admit: "The cause of orthodoxy was the cause of progress and civilization. Had Catharism become dominant, or even had it been allowed to exist on equal terms, its influence could not have failed to become disastrous."[13](#)

In response to the severity and frequent brutality with which the northern French waged the Albigensian Crusade, in which many heretics were killed without formal trial or hearing, Pope Innocent III set in motion a process of investigation to expose the secret sects. Another problem confronting the papacy was the willingness on the part of the laity to take the most severe steps against heresy without much concern for the heretics' conversion and salvation. The real father of the medieval institution is considered to be Pope Gregory IX, friend of both St. Francis and St. Dominic. He would call upon the newfound mendicant orders to assume the dangerous, arduous, and unwanted task of inquisitors.

What Pope Gregory IX instituted was an extraordinary court to investigate and adjudicate persons accused of heresy. The unprecedented growth of the Albigensians in southern France surely played into his decision. In northern France as well, the Church was facing sporadic mob violence that often fell on the innocent. The practice of putting heretics to death by burning at the stake was assuming the force of an established custom. The Pope was also concerned about the reports coming from Germany about a sect known as the Luciferians, a secret society with fixed rituals that profaned the Sacred Host.[14](#)

On the secular plane, the Pope was facing a formidable power, Emperor Frederick II, the supposedly "modern" and "liberal" Hohenstaufen, a ruler utterly indifferent to the spiritual welfare of the Church and continually at loggerheads with the Papacy. A Christian ruler in name only, Frederick II was heavily influenced by astrologers and Muslim customs (he kept a harem); he ruined two crusades, and was excommunicated twice. As early as March 1224, he

ordered that any heretic convicted in Lombardy be burned alive (the ancient Roman penalty for high treason) or as a lesser penalty, their tongues torn out. Pope Gregory, fearful that Frederick was committing to flames men who were not heretics but merely his own personal enemies, sought to find a more measured way to deal with the problem.

In 1233 Pope Gregory IX responded with his own solution: to replace the lynch law with a regular legal process headed by the mendicant Dominicans and Franciscans. They would be examiners and judges specially trained for the detection and conversion of heretics, protected from avarice and bribery by the vow of poverty, and devoted to justice.

The first point, therefore, to be noted in connection with the mendicant Inquisition is that it came into being in response to a defined need. In the matter of heresy, it introduced law, system, and even justice where there had been limitless scope for the gratification of political jealousy, personal animosity, and popular hatred. When we find one historian describing the introduction of the Inquisition as a "step forward in juristic theory," we must understand him in that sense.<sup>15</sup> Inquisitio means investigation, and this was the Pope's concern: a real investigation, a judicial procedure, instead of outright lynching, instead of acts motivated by irrational mob emotions and private vengeance.

The second point is that the mendicant orders were charged with the task of preserving the integrity of the Faith as well as the security of society. The failure to stem the tide of this heresy would have allowed a collapse of Western Christendom. One of the most thoroughly successful tribunals in all history, it succeeded in extirpating the anti-social poison of the Albigenses and thus preserved the moral unity of Europe for another three hundred years.

### Myth #3

**Myth:** The hideous procedures of the Inquisition were unjust, cruel, inhumane, and barbaric. The Inquisition roasted their victims' feet over fire, bricked them up into walls to languish for all eternity, smashed their joints with hammers, and flayed them on wheels.

**Reality:** Despite the compelling Gothic fictions, the evidence leads us to a wholly different conclusion. The procedures of the Inquisition are well known through a whole series of papal bulls and other authoritative documents, but mainly through such formularies and manuals as were prepared by St. Raymond Peñaforte (c1180-1275), the great Spanish canonist, and Bernard Gui (1261-1331), one of the most celebrated inquisitors of the early 14th Century. The Inquisitors were certainly interrogators, but they were theological experts who followed the rules and instructions meticulously, and were dismissed and punished when they showed too little regard for justice. When, for example, in 1223 Robert of Bourger gleefully announced his aim to burn heretics, not to convert them, he was immediately suspended and imprisoned for life by Gregory IX.<sup>16</sup>

The inquisitorial procedures were surprisingly just and even lenient. In contrast with other tribunals throughout Europe at the time, they appear as almost enlightened. The process began with a summons of the faithful to the church where the inquisitor preached a solemn sermon, the Edit de foi. All heretics were urged to come forward and confess their errors. This period was known as the "time of grace," which usually lasted between 15-30 days, during which time all transgressors had nothing to fear, since they were promised readmittance to the communion of the faithful with a suitable penance after confession of guilt. Bernard Gui stated that this time of grace was a most salutary and valuable institution and that many persons were reconciled thereby.<sup>17</sup> For the principal aim of the process was to draw the heretic back into the grace of God; only by persistent stubbornness would he be cut off from the Church and abandoned to the scantier mercy of the State. The Inquisition was first and foremost a penitential and proselytizing office, not a penal tribunal. Unless this is clearly recognized, the Inquisition appears as an unintelligible and meaningless monstrosity. In theory, it was a sinner, and not a criminal, who stood before the Inquisitor. If the lost sheep returned to the fold, the Inquisitor counted himself successful. If not, the heretic died in open rebellion against God, and, as far as the Inquisitor was concerned, his mission was a complete failure.

During this time of grace, the faithful were commanded to provide full information to the Inquisitor concerning any heretics known to them. If he thought there were sufficient grounds to proceed against a person, a warrant was dispatched to him ordering his appearance before an Inquisitor on a specified date, always accompanied by a full written statement of evidence held by the Inquisitor against him. Finally, a formal order of arrest could be issued. If the accused failed to appear, which rarely occurred, he would become an excommunicate and a proscribed man, that is, he could not be sheltered or fed by anyone under pain of anathema.

Although the names of witnesses against the accused were suppressed, the accused was given an opportunity to protect himself from false accusations by giving the Inquisitor a detailed list of the names of personal enemies. With this, he could conclusively invalidate certain testimony against him. He also had the power to appeal to a higher authority, even the Papacy if need be.<sup>18</sup> A final advantage of the accused was that false witnesses were punished without mercy. For example, Bernard Gui describes a father who falsely accused his son of heresy. The son's innocence quickly came to light, and the father was apprehended and sentenced to prison for life.

In 1264 Urban IV further added that the Inquisitor should submit the evidence against the accused to a body of periti or boni viri and await their judgment before proceeding to sentencing. Acting more or less in the capacity of jurymen, this group could number 30, 50, or even 80. This served to lessen the enormous personal responsibility of the Inquisitor. Again, it is important to emphasize that this was an ecclesiastical court, which neither claimed nor exercised any jurisdiction over those outside the household of faith, that is, the professing

infidel or the Jew. Only those who had been converted to Christianity and had subsequently reverted to their former religion came under the jurisdiction of the medieval Inquisition.<sup>19</sup> Torture was first authorized by Innocent IV in the bull *Ad extirpanda* of May 15, 1252, with limits that it could not cause the loss of a limb or imperil life, could only be applied once, and then only if the accused seemed already virtually convicted of heresy by manifold and certain proofs. Certain objective studies carried out by recent scholars have argued that torture was practically unknown in the medieval inquisitorial process. The register of Bernard Gui, the inquisitor of Toulouse for six years who examined more than 600 heretics, shows only one instance of where torture was used. Further, in the 930 sentences recorded between 1307 and 1323 (and it is worthwhile to note that meticulous records were kept by paid notaries chosen from civil courts), the majority of the accused were sentenced to imprisonment, the wearing of crosses, and penances. Only 42 were abandoned to the secular arm and burned.<sup>20</sup>

Legends about the brutality of the Inquisition in regard to the numbers of persons sentenced to prison and of those abandoned to the secular power to be burned at the stake have been exaggerated through the years. Working carefully from extant registers and available documents, Professor Yves Dossat estimated that in the diocese of Toulouse 5,000 people were investigated during the years 1245-1246. Of these, 945 were judged guilty of heresy or heretical involvement. Although 105 persons were sentenced to prison, 840 received lesser penances. After painstaking analysis of all the available data, Dossat concluded that in the mid-13th Century, only one out of every hundred heretics sentenced by the Inquisition was abandoned to the secular power for execution, and only ten to twelve percent even received prison sentences. Further, the Inquisitors often reduced sentences to lesser penances and commuted others.<sup>21</sup> The large numbers of burnings detailed in various histories are generally unauthenticated, or are the deliberate invention of anti-Catholic propagandists of later centuries. From the growing evidence, it seems safe to assert that the general integrity of the Holy Office was maintained at an extraordinarily high level, much higher than that of contemporary secular courts or later.

#### Myth #4

**Myth:** It was the Spanish Inquisition that exceeded all barbarousness, terrorizing all of society with its tyrannical and cruel practices.

**Reality:** On November 6, 1994, the London BBC aired an amazing testimony to the falsity of these claims in a documentary titled "The Myth of the Spanish Inquisition." In it, historians admitted that "this image is false. It is a distortion disseminated 400 years ago and accepted ever since. Each case that came before the Spanish Inquisition in its 300-year history had its own file." Now, those files are being gathered together and studied properly for the first time. Prof. Henry Kamen, an expert in the field, admitted candidly that the files are detailed, exhaustive, and bring to light a very different version of the Spanish Inquisition.



Protestant antipathies nourished this propaganda campaign against the Catholic Church and the powerful leader of the Hapsburg dynasty who commanded the most powerful armies in Europe, Charles V, Holy Roman Emperor. Their fears intensified especially after the battle of Mulburg in 1547, where Charles' enemies were virtually annihilated.<sup>22</sup> Philip II's succession to the Spanish throne and his own dedicated opposition to Protestantism fanned such fears. As Philip wrote to his ambassador in Rome in 1566, "You may assure His Holiness that rather than suffer the least damage to religion and the service of God, I would lose all my states and a hundred lives if I had them. For I do not propose nor desire to be ruler of heretics."<sup>23</sup> Yet while the Spanish often triumphed in the field of battle, they were abject losers in the propaganda war. They made no defense against the legend of Spanish cruelty and barbarism created so that Europe would sympathize with the Protestant revolt in Netherlands. Defaming the Inquisition came to be the most natural choice of weapon to achieve this end.

Many pamphlets and brochures, too numerous and horrendous to enumerate here, have been written since the 16th Century. It suffices to mention only a few: The Apologie of William of Orange, written by the French Huguenot Pierre Loyseleur de Villiers in 1581, enshrined all the anti-Inquisition propaganda of the past forty years into a political document that "validated" the Dutch Revolt. In 1567, Renaldo González Montano published his *Sanctae Inquisitionis Hispanicae Artes aliquot detectae ac palam traductae*, which was soon translated into all the major languages of Western Europe and widely circulated. It contributed decisively to what became known as the "Black Legend" that associated the Inquisition with the horrors of the torture chamber.<sup>24</sup> Such accounts were enlarged upon by other Protestant writers, such as the Rev. Ingram Cobain in the 19th Century, who described one of its fictitious items of torture: a beautiful full-size doll that cut up the victim with a thousand knives when he was forced to embrace. The myth had been created and would assume proportions bordering on the ridiculous in the literature, travelers' reports, masonic narratives (see illustration), satires (Voltaire, Zaupser), plays and operas (Schiller, Verdi), histories (Victor Hugo) and gothic novels of later centuries.<sup>25</sup>

Concerning torture, Prof. Kamen recently said, "In fact, the Inquisition used torture very infrequently. In Valencia, I found that out of 7,000 cases only two percent suffered any form of torture at all and usually for no more than 15 minutes . . . I found no one suffering torture more than twice." Prof. Jaime Contreras agreed: "We find when comparing the Spanish Inquisition with other tribunals that the Spanish Inquisition used torture much less. And if we compare the Spanish Inquisition with tribunals in other countries, we find that the Spanish Inquisition has a virtually clean record in respect to torture."<sup>26</sup>

During this same period in the rest of Europe, hideous physical cruelty was commonplace. In England, transgressors were executed for damaging shrubs in public gardens, poaching deer, stealing a woman's handkerchief and attempting suicide. In France, those who stole sheep were disemboweled. During the reign of Henry VIII, the recognized punishment for a poisoner was to be boiled alive in a cauldron. As late as 1837, 437 persons were executed in England in

one year for various crimes, and until passage of the Reform Bill, death was the recognized penalty for forgery, coining, horse thieving, burglary, arson, robbery and interference with the postal service, and sacrilege.<sup>27</sup> It is clear that in indicting the Spanish Inquisition upon specific charges of physical cruelty and callous brutality, we must proceed with some circumspection.

The myth of unlimited power and control exercised by the Spanish Inquisition has also been found to be groundless. In 16th- Century Spain, the Inquisition was divided into twenty tribunals, each covering thousands of square miles. Yet each tribunal had no more than two or three inquisitors and a handful of administrative clerks. Prof. Kamen has noted: "These Inquisitors had no power to control society in the way historians have imagined they had. They had no power. They had no function, they had no tools to do the job. We, enforcing that image, have given them the tools that never existed."<sup>28</sup>

In reality, the Inquisition's limited contact with the population comprised part of the reason it did not attract the hostility of Spaniards. Outside major cities, towns might see an inquisitor once every ten years or even once in a century. One reason people supported the Inquisition was precisely because it was seldom seen, and even less often heard. Kamen also records that at every period in its history, there are records of strong criticism and bitter opposition. Yet based on the exploitation of inquisitorial documents first by Llorente, and then by Henry Charles Lea, scholars have made the error of studying the Inquisition in isolation from all other dimensions of Spanish culture and society, as though it had played a central role in the religion, politics, culture, and economy and as though no opposition or criticism was permitted.<sup>29</sup> Menendez y Pelayo's satire on those who have blamed the tribunal for all the ills of Spain underscores this view:

"Why was there no industry in Spain? Because of the Inquisition. Why are we Spaniards lazy? Because of the Inquisition. Why are there bullfights in Spain? Because of the Inquisition. Why do Spaniards take a siesta? Because of the Inquisition."<sup>30</sup>

The Inquisition cannot be blamed for the "decadence of Spanish learning and literature," states Peters in his acclaimed objective study *Inquisition*, despite the claims of Protestant historian Charles Lea or Catholic historian Lord Acton. "After the thunderclap of the 1559 Index," he states, "which was directed mainly against vernacular piety, no attacks were mounted against Spanish literature and not one in a hundred Spanish writers came into conflict with the Inquisition. Indeed, long after the measures of 1558-59 Spain continued to have an active intellectual life based on a world experience vaster than that of any other European nation."<sup>31</sup>

A final and most important myth remains to be examined.

#### Myth #5

**Myth: Man is more free and happy when the State or Nation does not make public**

profession of any one true religion. Therefore, true progress lies in separation of Church and State.

**Reality:** This is the crux of the question. The most dynamic element, the most essential matter is found in the attitude of the human spirit in relation to the questions of religion and philosophy. To fully understand the response, it is necessary to assume several presuppositions.

The Catholic concept of history is based on the fact that the Ten Commandments are fundamental norms of human behavior that correspond to natural law. To aid man in his weakness, to guide and direct him and to preserve him from his own tendency toward evil and error resulting from original sin, Jesus Christ gave the Church an infallible Magisterium to teach and guide the nations. The adhesion of man to the Magisterium of the Church is the fruit of faith. Without faith, man cannot durably know and entirely practice the Commandments.

Therefore, as man elevates himself in the order of grace by the practice of virtue inspired by grace, he elaborates a culture, a political, social, and economic order in consonance with the basic and unchanging principles of natural law. These institutions and this culture so formed in its ensemble can be called Christian Civilization. Further, nations and peoples can only attain a perfect civilization, a civilization in complete harmony with the natural law in the framework of a Christian civilization and through correspondence to grace and the truths of the Faith.

For this, man must give his firm recognition to the Catholic Church as the one true Church of God and to its authentic universal Magisterium as infallible. Therefore, man must know, profess, and practice the Catholic faith.

Historically, one must ask when this Christian civilization existed. The answer may shock and even irritate many. There was a time when a large portion of humanity knew this ideal of perfection, knew and tended toward it with fervor and sincerity. This period, sometimes referred to as the Golden Age of Christianity, is the epoch of the 12th and 13th Centuries, when the influence of the Church in Europe was at its zenith. Christian principles then dominated social relations more fully than at any other period before or since, and the Christian State then approached most nearly its full development. Leo XIII referred to this period in his encyclical *Immortale Dei* (1885) in these terms:

"There was a time when the philosophy of the Gospel ruled the States. In this epoch the influence of Christian Wisdom and its Divine Wisdom penetrated the laws, institutions and customs of the people, all the categories, all the relations of civil society. The religion instituted by Jesus Christ, solidly established in all dignity due it, flourished everywhere, due to the favor of Princes and the legitimate protection of the magistrates. In this time, the Priesthood and Empire were linked with a happy concord and the friendly exchange of good offices. Organized in this way, civil society gave fruits superior to all expectations and its

memory persists and will continue to persist, and no artifice of its enemies will be able to corrupt and obscure it."

A portrayal of Catholic society implies above all else an exact idea of what the relationship between the Church and temporal society should be. The State in principle has the obligation to profess officially the truth of the Catholic faith, and, as a consequence to prohibit the functioning and proselytizing of heretics. For not only the Church, but all of temporal society was created for the salvation of our souls, as St. Thomas Aquinas shows conclusively in *De Regimine Principum*. In it, St. Thomas shows us how absolutely all things created by God were created for the salvation of our souls and must be means that serve positively for our sanctification. Men themselves were created for the salvation of one another. This is why they live together in society. Thus, temporal as well as spiritual society should assist in the primary purpose of man's existence, the salvation of his eternal soul.

This exposition of society implies an understanding of the hierarchy of values, wherein spiritual values have a greater worth than material ones. For example, in the *Summa Theologica* (II, II, ii, 3), St. Thomas notes that if it is just to condemn counterfeiters to death, then surely it is necessary to put to death those who had committed the far worse crime of counterfeiting the Faith. For eternal salvation must be regarded as greater than temporal property, and the welfare of all must be regarded as greater than the welfare of the individual.

These affirmations have consequences painful for the liberal spirit of our days. For, if the State proclaims that one single religion is the true one, it has an obligation in principle to prohibit the diffusion of sects of a heretical character. It is understood that in Catholic society the highest purpose of the State lies in recognizing the Catholic Church, in defending her, in applying her laws, in serving her. In a Catholic society, the Pope has an indirect authority over all that touches on the interests of the Church. In this way, the Pope is elevated above all the temporal powers. When a head of State is heretical, the Pope has the right to depose him, as in the case of Henry IV of France, the legitimate pretender to the French throne. In other words, a heretic does not have the right to govern a Catholic country

As Father Denis Fahey points out in *The Kingship of Christ*, in the Middle Ages the State fulfilled its obligation of professing that religion which God Himself had established and through which He wanted to be adored and worshipped — the Catholic religion. When Catholics answer the objections of non-Catholics to the Inquisition, they sometimes seem to lose sight of the formal principle of order animating the civilization of the Middle Ages. If a State proclaims a religion as being the true religion, it has an obligation as a matter of principle to prohibit the diffusion of heresy and heretical sects. This obligation is a most painful one for the liberal mentality to accept. Heresy was considered a crime because the State recognized the Catholic religion for what it objectively is, the one true Religion established by God, and not a simple temporary arrangement, here today, gone tomorrow.

In presenting the principles of the social Kingship of Christ, Father Denis Fahey says:  
"The truth is that the State then grasped the formal principle of ordered social organization in the actual world and that the Inquisition was set up to defend the hold of the world on order against the fomenters of disorder. . . That same principle is meant by God to mold the new matter and the new circumstances of all succeeding ages. Socially organized, man in the world redeemed by Our Lord is not as God wants him to be unless he accepts the supernatural, supra-national Catholic Church.

The modern world has turned aside from order and is suffering for its apostasy and disorder. This great truth needs to be proclaimed unequivocally, so that the interior life with which we celebrate the feast of the Kingship of Christ may be deepened. It is infinitely better to go down struggling for the integral truth than to win a seeming victory by whittling it down."[32](#)

Blackening the name of the Holy Inquisition has obviously found root in this widespread tendency, even among princes of the Church, to "whittle down" these principles of the Catholic social order. While, at base, the problem of the Holy Inquisition must be examined at the philosophical level, there is also no doubt that through the centuries "the Inquisition" has assumed a monstrous dimension out of proportion to the facts.

The pens of Protestant propagandists during the Reformation began the myth-making process by depicting the Inquisition as just another example of the evils of Rome. In their works the tribunal was presented as the supreme instrument of intolerance. Wherever Catholicism triumphed, they claimed, not only religious but civil liberty was extinguished. The Reformation, according to this interpretation, brought about the liberation of the human spirit from the fetters of darkness and superstition. Propaganda along these lines proved strikingly effective.

However, as the scholars of the last decade have begun to examine the archives, their studies are showing that the interests of truth demand that the Inquisition be reduced to its proper dimensions. Its significance can be grossly exaggerated if we rely on the largely fictitious images presented by the propagandists and philosophes of the Enlightenment and age of Romanticism and liberalism that followed. These writers, who even included Lord Acton, falsely assumed the Inquisition was part and parcel of a special philosophy of blatant intolerance and cruelty. In reality, it evolved as a product of the society it served. In sum, for those objective Catholic minds who are militant against the errors of liberalism and modernism of our own age and who look with admiration on the spirit and institutions of the Age of Faith, there can still remain a healthful admiration for the Holy Inquisition.

Endnotes:

1. The Lutheran ideal, recognized at the Peace of Westphalia in 1648, permitted each Protestant State to organize its particular form of religion as a department of State. That "peace," said Rev. Denis Fahey, "has been well termed the funeral of the Catholic order of the world. Luther's separation of the Christian from the Citizen prepared the way for the deification

of the State, realized in modern times, and the social influence of Protestant society thus made easy the advent of the modern public man who may, as a private citizen, be a Catholic, but as a public man will get himself represented at Protestant worship or even on occasion assist thereat." *The Kingship of Christ*, 3rd ed., (Palmdale, Ca: 1990), 40-41.

2. (Rockford, Ill: 1987), pp. x-xi.

3. By 1230 a substantial revolution in legal thought and procedure had taken place throughout most of Western Europe, which included the introduction of the Roman-inspired inquisitio procedure, which in many respects could be regarded as a modernization of the legal practices of the time. Edward Peters, *Inquisition*, (New York, London: 1988), pp. 52-57.

4. Peters, *Inquisition*, pp. 231, 3.

5. Kieckhefer has pointed out that it would be inappropriate to even speak of "the Inquisition" in a medieval context. The sources themselves show that even regional and local institutionalization of the inquisitorial procedure was partial and fragile, depending mainly on the dedication and organizing power of the individual inquisitor and on the concrete need for action perceived in a specific time and place. Richard Kieckhefer, "The Office of Inquisition and Medieval Heresy: The Transition from Personal to Institutional Jurisdiction," *Journal of Ecclesiastical History*, 46 (January 1995), 59; Kieckhefer, *Repression of Heresy in Medieval Germany*, Philadelphia-Liverpool: 1979, p. 5.

6. A. L. Maycock, *the Inquisition from Its Establishment to the Great Schism*, (New York: 1969), 117.

7. *Ibid*, 100.

8. There were incidents of mob violence in Toledo in 1449, civic riots in 1470 in Valladolid, and the murders of conversos in Jaén and Córdoba three years later. The direct instrument of violence in all these cases was the populace. Henry Kamen, *Inquisition and Society in Spain*, (Bloomington, Ind.: 1985), pp. 30-31.

9. By the 18th Century, the Congregation of the Holy Office had virtually no power or influence outside the Papal States. In its principal tasks, the censorship of clergy and of printed books, it overlapped with the Congregation of the Index. It was closed during the Pope's exile from Italy in 1809-1814, after which it was restored with further curtailed powers. In 1965, Pope Paul VI changed its name to Sacred Congregation for the Doctrine of the Faith, and in 1966 he abolished the Index.

10. *The Prosecution of Heresy: Collected Studies on The Inquisition in Early Modern Italy. Medieval and Renaissance Texts and Studies*, Vol. 78, (Binghampton, NY: 1991), XI-XIV, 7-9.

11. Albert Clement Shannon gives a detailed explanation of the beliefs of the Cathars and their biblical proofs taken from one of the Albigensian treatises written toward the end of the century. For example, to prove that man comes from the devil, the Cathars quoted John 8:44: "Your father is the devil." and 1 John 3:8: "The man who sins is the child of the devil." *The Medieval Inquisition*, (Washington D.C.: 1983), 2-19.

12. *Summa of Rainerius Sacconi*, trans. in Walter L Wakefield and Austin P. Evans, *Heresies of the High Middle Ages*, (New York: 1969), 330.

13. H.C. Lea, *A History of The Inquisition in the Middle Ages*, Vol. I, (New York: 1906-08), 1064.

14. Maycock, *The Inquisition*. pp. 77, 52-53; Walsh, *Characters of the Inquisition*, 41-3.
15. Gustav Schnürer, *Kirche und Kultur in Mittelalter*, (Paderborn, 1926), II, p. 434.
16. Maycock, *The Inquisition*, 128-29.
17. In 1323, the inquisitor Bernard Gui (unjustly maligned in Umberto Eco's novel, *The Name of the Rose*) produced the *Practica officii inquisitionis heretice pravitatis*, an elaborate and balanced inquisitorial manual. The doctrines and procedures of the inquisitors derived from both theology and canon law, as well as from the early works of Church Fathers and general council and popes. Peters, *Inquisition*, pp. 60-64.
18. Despite the apparent prohibition of appeals (*appelatione remota*), Gregory IX and his successor Innocent IV repeatedly entertained appeals made by complainants and voided unjust decisions. Throughout this whole period it appears that appeals found their way to Rome for redress. In fact, modeled on the long forgotten regulations of the Justinian Code, through the inquisitorial process the Church brought the appeals procedure into the legislation of the Middle Ages, for appeals were quite out of character for the local, feudal manorial courts. The success of the Church system of justice was not lost on secular rulers, who eventually adopted appeals as regular procedure in their own reorganized and centralized court systems. Shannon, *The Medieval Inquisition*, pp.139-40.
19. Hamilton, *Inquisition*, pp. 150-51, 130-33, 140-41.
20. *Ibid.*, p. 160.
21. Ives Dossat, *Les Crises de l'inquisition toulousaine au XIIIe siècle (1233-1273)*, Bordeaux: Imprimerie Bière, 1959, 247-268.
22. Kamen, *The Spanish Inquisition*, pp. 252-54.
23. Peters, *Inquisition*, 131.
24. Foxe, *The Book of Martyrs*, London: 1863, p. 1060; Peters, *Inquisition*, 133; Kamen, *The Spanish Inquisition*, p. 254, Peters, *Inquisition*, 152-4.
25. For a more detailed account of how the myth took shape in literature, see Peters, *Inquisition*, pp.152-262.
26. "The Myth of the Spanish Inquisition," BBC documentary, Nov. 6, 1994.
27. Maycock, *The Inquisition*, p. 41, 259.
28. "The Myth of the Spanish Inquisition," BBC documentary, Nov. 6, 1994.
29. Kamen, *The Spanish Inquisition*, pp. 257-58.
30. *La Ciencia Española*, Madrid 1953, pp. 102-3.
31. Peters, pp. 260-61.
32. *Kingship of Christ according to the Principles of St. Thomas Aquinas*, (Palmdale, Ca: 1931, 1990 rep.), p. 38.

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**"Justice forbids and reason itself forbids that the State should be godless, or that it should adopt a line of action which would end in godlessness — namely, to treat the various religions (as they call them) alike, and to bestow upon them promiscuously equal rights and**

privileges. ... Yet, with the discernment of a true mother, the Church weighs the great burden of human weakness, and well knows the course down which the minds and actions of men in this age are being borne. For this reason, while not conceding any right to anything save what is true and honest, she does not forbid public authority to tolerate what is at variance with truth and justice, for the sake of avoiding greater ills. ... But to judge aright, we must acknowledge that the more a State is driven to tolerate evil, the further is it from perfection."

- Leo XIII, Encyclical *Libertas Praestantissimu*m,  
June 1888.